

# PROVO RIVER DISTRIBUTION SYSTEM

## MINUTES OF THE ANNUAL MEETING OF BOARD OF DIRECTORS

January 11, 1972

Pursuant to the Articles of Association, as amended by the Provo River Distribution System, and due notice having been given to all members, the Board of Directors of the Provo River Distribution System convened at 10:00 a.m. on January 11, 1972, in Room 200 of the Utah County Court House, Provo, Utah.

Chairman Niels Andersen presided.

On roll call, the following Board members were present:

J. Edwin Ure, Vice Chairman	Group 1	Kamas Valley Canals
Sherman A. Giles	"	2 Upper Provo, East Heber Valley
Irvin O. Bowden	"	3 Upper Provo, West Heber Valley
John Zirbes	"	4 Provo City Canals
Stanley H. Roberts	"	5 East Provo Canals
Niels Andersen, Chairman	"	6 Provo Bench Canals
John W. Gillman	"	7 Provo Reservoir Water Users Co.
Jack M. Gardner, Secy-Treas.	"	8 Provo River Water Users Assn.
Ernest Knight	"	9 Upper Provo Individual Rights

Also present were:

Leonard S. Walker	Pleasant Grove
Farrell Knight	Visitor
Hugh A. McKellar	Provo River Commissioner and Provo River Water Users Assoc.
Cecil M. Hicken	Wasatch Irrigation Co.
Roy H. Gappmayer	Metropolitan Water Dist. of Orem
V. Emil Hansen	Metropolitan Water Dist. of Orem
Craig W. Wayman	Applicant for Commissioner
Lynn Gottfredson	Applicant for Commissioner
Stan Roberts, Jr.	Applicant for Commissioner
Burt Fisher	Applicant for Commissioner
M. Leon William	Applicant for Commissioner

### CORRECTION AND ADOPTION OF MINUTES OF ANNUAL MEETING HELD JANUARY 13, 1971:

At the request of the Chairman, Secretary Gardner read the minutes of the annual meeting, held January 13, 1971; whereupon, there being no changes noted, Director Giles moved that the minutes be accepted, seconded by Director Gillman and carried unanimously.

### PROVO CITY CANALS, GROUP 5, APPOINTES NEW DIRECTOR TO BOARD:

Chairman Andersen noted that Director Burt Fisher, representing Provo City, was being replaced by John Zirbes as Mr. Fisher had applied for the Provo River Commissioner.

## ELECTION OF OFFICERS FOR 1972:

Chairman Andersen advised that the next order of business was to nominate and elect officers for the ensuing year. After due discussion, Director Giles moved adoption of the following resolution:

(103) RESOLVED That Niels Andersen, Edwin Ure, and Jack Gardner be elected as Chairman, Vice Chairman, and Secretary-Treasurer, respectively, to serve the following one year term of office. Motion was seconded by Director Roberts and adopted unanimously.

## 1971 FINANCIAL STATEMENT AND DELINQUENT ACCOUNTS:

At the request of Chairman Andersen, Secretary Gardner presented the last year's Financial Statement of the River Systems operation, noting that the assessment was set at \$16,000 and there were receipts of \$15,897.71 and receipts of delinquent accounts of \$23.00 or total receipts of \$15,902.71. The expenditures during the year were \$15,953.81, the difference of \$51.10 coming from the Distribution Trust Fund and leaving a balance in the Fund, as of December 31, 1971, of \$5,653.83 and that \$16,510.00 had been budgeted as against the actual expenditure of \$15,953.81.

Delinquent assessments were noted in the amount of \$402.12. Commissioner McKellar noted that he had checked into Account 62, Reno Memmott, and the land had been sub-divided and the owner deceased and that this right should be considered abandoned and dropped from the record. Other accounts were discussed and Director Roberts advised for Account 35, Hugh Vern Wentz, that the proper address should be P. O. Box 527. It was further noted that Account 84-C, Elmer Lee, had estate problems; that Account 139 shown in the name of Heber McNeil now belonged to Warren Knight. It was further noted that most of the delinquent accounts in the amount of \$402.12 was from six accounts all over \$20.00. After due discussion Director Gillman moved adoption of the following resolution:

RESOLVED That all delinquent accounts over \$20.00 be referred to the Attorney General for immediate collection. Motion was seconded by Director Bowden and adopted unanimously.

## COMMISSIONER AND DEPUTY COMMISSIONER'S REPORT ON 1971 OPERATION:

Commissioner McKellar first advised the Board that he had become Superintendent of the Provo River Water Users Association and will terminate as Commissioner of the Provo River, March 31st this year. He thanked the Board and Deputy Commissioner Giles for the cooperation and consideration given him during his terms as Commissioner. He noted that 1971 was a good water year, delivering 100% a year. Provo Reservoir filled June 1 and free water was available to the Deer Creek Reservoir water users to July 8th. He further noted that 43,725 acre feet of water was diverted from the Weber River and 20,565 acre feet was diverted from the Duchesne River. Also mentioned, was that a recorder had been installed on the Provo Bench Canal.

Commissioner Giles expressed his appreciation to Commissioner McKellar for the fine cooperation that had existed during his term as Commissioner. He noted that the upper Provo also enjoyed a good water year and that the present water



situation looks favorable with 68" of snow and 16.7" of water at Trial Lake, or 155% of normal.

#### NOMINATION OF ANNUAL COMMISSIONER AND DEPUTY COMMISSIONER:

Chairman Andersen noted that the Board must again nominate and elect a Commissioner as its choice to recommend for appointment by the State Engineer, and further advised that Commissioner McKellar was to resign March 31st as he had become the Superintendent of the Provo River Water Users Association.

It was noted that six applicants had applied for Commissioner of the Provo River and that five of these applicants were present for interview. The applications were reviewed and the applicants present were separately interviewed. After due discussion a ballot vote was taken and Stanley Roberts, Jr. was nominated for appointee by a 5 to 4 vote as Provo River Commissioner at a salary of \$500.00 per month.

WHEREUPON, Director Gillman then moved adoption of the following resolution:

RESOLVED That Deputy Commissioner Giles be nominated for appointee as Deputy Commissioner for the year 1972. The motion was seconded by Director Ure and adopted unanimously.

A training period for the new Commissioner was discussed and Commissioner McKellar advised that he would devote as much time as was needed to acquaint the new Commissioner with the Provo River Distribution system and advised that he thought the new Commissioner should be employed on a part time basis until April 1st. After due discussion it was agreed that one month's pay (\$500.00) be made available to pay Mr. Roberts during this part time period until he officially takes over on April 1st, the date of Commissioner McKellar's resignation.

#### BUDGET AND ASSESSMENT 1972:

Chairman Andersen called for a discussion of the budget and assessment for the following year. Commissioner McKellar advised that he and Secretary Gardner had worked up a tentative budget for presentation to the Board, and asked Secretary Gardner to present and discuss this budget.

Secretary Gardner noted that the tentative budget reflected Commissioner McKellar's salary to March 31st and the new Commissioner's salary for ten months, one month part time pay, and the matching social security and state retirement, and that the Deputy Commissioner's Salary was not definite pending the discussion of a raise in salary.

After due discussion, noting the increase in distribution due to land development on the Upper Provo River, Director Gillman moved adoption of the following resolution:

RESOLVED That the Deputy Commissioner's salary be increased from \$5565.00 per year to \$6,000.00 per year. The motion was seconded by Director Bowden and adopted unanimously.

Director Ure commented on the time spent by the Chairman and Secretary in carrying out the functions of the Board, such as preparing minutes, etc. Secretary

Gardner advised that the Provo River Water Users Association were having the minutes, letters, etc. prepared by its secretary, primarily at its own expense, and that it took quite a bit of his time to prepare these minutes. Director Ure then moved adoption of the following resolution:

RESOLVED That the Chairman and Secretary each be given \$50.00 a year and that the Provo River Water Users Association be paid for its costs in doing the secretarial work. The motion was seconded by Director Bowden and adopted unanimously.

Director Ure then noted that the Board members had been receiving \$15.00 per meeting for a number of years and after due discussion Director Ure moved adoption of the following resolution:

RESOLVED That the board members each receive \$25.00 per meeting. The motion was seconded by Director Bowden and adopted unanimously.

Secretary Gardner then advised that these items finalized the 1972 budget at \$17,000.00. The assessment was then discussed, noting that the 1971 assessment was \$16,000.00. After due discussion Director Ure moved adoption of the following resolution:

RESOLVED That the budget for 1972 be set at \$17,000.00 and the assessment remain at \$16,000.00. The motion was seconded by Director Gillman.

The resignation of Commissioner McKellar was then discussed, whereupon Director Ure moved adoption of the following resolution:

RESOLVED That the secretary prepare a letter to Commissioner McKellar denoting the Board's appreciation for his four years of service as the Commissioner of the Provo River system. The motion was seconded by Director Gillman and adopted unanimously.

#### MEETING WITH STATE ENGINEER:

Chairman Andersen called attention to the following letter, dated December 28, 1971:

#### "NOTICE TO WATER USERS, PROVO RIVER DISTRIBUTION SYSTEM

Notice is hereby given that in compliance with Title 73, Chapter 5, Utah Code Annotated 1953, a meeting of water users of the Provo River Distribution System and representatives of the Division of Water Rights will be held Thursday, January 13, 1972, at 10:00 a.m. in the County Commissioners' Chambers, County Courthouse, Provo, Utah, for the purposes of:

1. Hearing the minutes of the 1971 meeting.
2. Hearing the financial report for 1971.
3. Hearing the 1971 Commissioner's report.
4. Preparing a budget of salaries and other necessary expenses of the Provo River Distribution System.
5. Making recommendations to the State Engineer relative to the appointment of a water commissioner for the 1972 season.
6. Transacting such other business as may properly come before the meeting.

We hope that the water users or representatives will attend in order that they be properly represented.

Yours truly,

SS Hubert C. Lambert  
State Engineer"

Chairman Andersen requested all members of the Board to attend this meeting in view of the importance of the River System's operations.

There being no further business, the meeting adjourned at 12:15 p.m.

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Jack M. Gardner, Secretary